

Members

Rep. Scott Pelath, Chairperson  
Rep. Dennie Oxley  
Rep. Phil Hinkle  
Rep. Michael Murphy  
Sen. Joseph Zakas  
Sen. Michael Young  
Sen. Lindel Hume  
Sen. Richard Young



## ADMINISTRATIVE RULES OVERSIGHT COMMITTEE

LSA Staff:

Allen Morford, Attorney for the Committee  
Chuck Mayfield, Fiscal Analyst for the Committee

Authority: IC 2-5-18

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### MEETING MINUTES<sup>1</sup>

**Meeting Date:** November 19, 2007  
**Meeting Time:** 2:00 P.M.  
**Meeting Place:** State House, 200 W. Washington  
St., Room 404  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 3

**Members Present:** Rep. Scott Pelath, Chairperson; Rep. Dennie Oxley; Rep. Phil Hinkle; Sen. Michael Young; Sen. Lindel Hume; Sen. Richard Young.

**Members Absent:** Rep. Michael Murphy; Sen. Joseph Zakas.

Rep. Scott Pelath, Chairperson, called the meeting to order at approximately 2:15 P.M.

Rep. Pelath explained that the purpose of the Committee meeting was to review Preliminary Draft (PD) 3349 which addresses the issue of transfer fees imposed on a minority interest in a riverboat. He noted that the Committee discussed the issue at its meeting on September 19, 2007.<sup>2</sup> Rep. Pelath then explained that PD 3349 would: (1) void certain rules adopted by the Indiana Horse Racing Commission (IHRC) and the Indiana Gaming Commission (IGC) concerning the transfer of ownership interest in pari-

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

<sup>2</sup> See Exhibit A.

mutuel horse racing meeting permits and riverboat owner's licenses; (2) prohibit the IHRC and the IGC from imposing fees that are not authorized by statute upon the parties to a transfer of ownership interest or making the approval of a proposed transfer of ownership interest contingent upon the payment of any amount not authorized by statute; (3) codify a noncode provision enacted in 2005 concerning transfer fees; and (4) require the Treasurer of State to refund any amount paid under the authority of a rule voided by the bill.

The Committee discussed the role of the General Assembly in determining the proper public policy for imposing transfer fees. The Committee then voted on whether PD 3349 should be recommended to the General Assembly for consideration. The Committee approved the recommendation of PD 3349 with a vote of 5 to 1.<sup>3</sup>

Rep. Pelath adjourned the meeting at approximately 2:35 P.M.

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<sup>3</sup> See Exhibit B.